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Attorneys for Plaintiffs  
 STEVE TRACHSEL, an individual, SUN CITY  
 TOWERS, LLC, a California limited liability  
 company, THOMAS CIRrito, an individual,  
 ATOCHA LAND, LLC, a Delaware limited  
 liability company, MICHAEL CIRrito, an  
 individual, and CIRrito HOLDINGS, LLC, a  
 Delaware limited liability company

**\*E-FILED - 12/17/08\***

UNITED STATES DISTRICT COURT - NORTHERN DISTRICT OF CALIFORNIA  
 SAN JOSE DIVISION

STEVE TRACHSEL, an individual; SUN  
 CITY TOWERS, LLC, a California limited  
 liability company; THOMAS CIRrito, an  
 individual; ATOCHA LAND, LLC, a  
 Delaware limited liability company;  
 MICHAEL CIRrito, an individual; and  
 CIRrito HOLDINGS, LLC, a Delaware  
 limited liability company,

Plaintiffs,

v.

RONALD BUCHHOLZ; CHARICE  
 FISCHER; RDB DEVELOPMENT, LLC, a  
 Nevada limited liability company;  
 SOLOMON CAPITAL, INC., a Nevada  
 corporation; JONATHON VENTO; GRACE  
 CAPITAL, LLC, dba GRACE  
 COMMUNITIES, an Arizona limited liability  
 company; DONALD ZELEZNAK;  
 Z-LOFTS, LLC, an Arizona limited liability  
 company; ZELEZNAK PROPERTY  
 MANAGEMENT, LLC dba KELLER  
 WILLIAMS REALTY, an Arizona limited  
 liability company; and DOES 1-50, inclusive,

Defendants.

CASE NO: C08 02248RMW

**STIPULATION AND ~~PROPOSED~~ ORDER RE: BRIEFING AND HEARING SCHEDULE ON PLAINTIFFS' MOTION FOR A RIGHT TO ATTACH ORDER**

Plaintiffs STEVE TRACHSEL, SUN CITY TOWERS, LLC, THOMAS CIRRITO, ATOCHA LAND, LLC, MICHAEL CIRRITO, and CIRRITO HOLDINGS, LLC, and Defendants RONALD BUCHHOLZ, CHARICE FISCHER, RDB DEVELOPMENT, LLC, and SOLOMON CAPITAL, INC. hereby stipulate and agree that, pursuant to the Court's December 4, 2008 Order on Plaintiffs' Ex Parte Application for a Discovery Conference, the following schedules shall be in effect for Plaintiffs' Motion for a Right to Attach Order:

**Deposition Schedule:**

December 15, 2008: Deposition of Charice Fischer

December 17, 2008: Deposition of Ronald Buchholz

January 7, 2009: Deposition of Steve Trachsel

January 8, 2009: Deposition of Tom Cirrito

January 9, 2009: Deposition of Michael Cirrito

**Supplemental Briefings:**

January 20, 2009: Submission of Plaintiffs' supplemental briefing

January 30, 2009: Submission of Defendants' responsive supplemental briefing

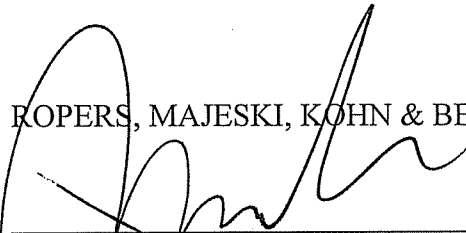
**Hearing on Right to Attach Order:**

February 9, 2009: Hearing on Plaintiffs' Motion for Right to Attach Order

IT IS SO STIPULATED.

Dated: December 5, 2008

ROPERS, MAJESKI, KOHN & BENTLEY

  
TODD A. ROBERTS  
JESSHILL E. LOVE  
Attorneys for Plaintiffs  
STEVE TRACHSEL, SUN CITY TOWERS, LLC, THOMAS CIRRITO, ATOCHA LAND, LLC, MICHAEL CIRRITO, and CIRRITO HOLDINGS, LLC

1 Dated: December 5, 2008

PINNACLE LAW GROUP

2 /S/

3 ANDREW A. AUGUST  
4 WILLIAM W. SCHOFIELD  
Attorneys for Defendants  
5 RONALD BUCHHOLZ; CHARICE FISCHER;  
RDB DEVELOPMENT, LLC, and SOLOMON  
6 CAPITAL, INC.

7 IT IS SO ORDERED.

8 Dated: 12/17, 2008

9   
10 HONORABLE RONALD M. WHYTE  
11 U.S. DISTRICT COURT JUDGE

Ropers Majeski Kohn & Bentley  
A Professional Corporation  
San Jose